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August 8, 2021

**BY ECF**

Hon. John P. Cronan  
 United State District Judge  
 Southern District of New York  
 500 Pearl Street  
 New York, New York 10007

Re: *United States v. Eliot Bacolas*, 21 CR 242 (JPC)

Dear Judge Cronan:

I am counsel to Mr. Bacolas in the above referenced case. As Your Honor is aware, a status conference in this case is currently scheduled for August 13, 2021 at 10:00am. Over the past two months the defense has reviewed the discovery and is in the process of preparing a submission (including an expert report) to the government regarding a plea. The parties have had several productive discussions regarding that plea and are working toward a mutually agreeable disposition. We anticipate that we will be able to complete our submission to the government in the next several weeks and that the government will consider it over another month or so.

For those reasons, we respectfully request, with the consent of AUSA Ashley Nicolas, that Your Honor change the date of the status conference to a date in late October 2021.

In the event that there is an adjournment, we respectfully request and consent that time be excluded under the Speedy Trial Act until the next conference date set by the Court pursuant to Title 18, United States Code, Section 3161(h)(7)(A). The exclusion of time best serves the ends of justice and outweighs the best interests of the public and the defendant in a speedy trial as it will allow time for the parties to continue our on-going discussions regarding a potential disposition of this matter. I have consulted with Assistant U.S. Attorney Ashley Nicolas who also consents to this potential adjournment request and to the exclusion of time on behalf of the government. Thank you for your attention to this matter.

The status conference scheduled for August 13, 2021 at 10:00 a.m. is adjourned to October 25, 2021 at 12:00 p.m. The conference will be held in person in Courtroom 12D of the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10007. Time is excluded under the Speedy Trial Act until October 25, 2021 pursuant to 18 USC 3161(h)(7). The Court finds that the ends of justice served by excluding such time outweigh the interests of the public and the defendant in a speedy trial, as the exclusion will allow for time for the parties to continue their discussions regarding a potential disposition of this case.

SO ORDERED.

Date: August 9, 2021  
 New York, New York

  
 JOHN P. CRONAN  
 United States District Judge

Sincerely,



Peter Katz, Esq.  
 Counsel to Eliot Nicolas